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UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF OREGON  
 PORTLAND DIVISION

DISABILITY RIGHTS OREGON,  
 METROPOLITAN PUBLIC DEFENDER  
 SERVICES, INC., and A.J. MADISON,

*Plaintiffs,*

v.

SAJEL HATHI, in her official capacity as head  
 of the Oregon Health Authority, and SARA  
 WALKER, in her official capacity as  
 Superintendent of the Oregon State Hospital,

*Defendants.*

3:02-cv-00339-MO (Lead Case)  
 3:21-cv-01637-MO (Member Case)

**Declaration of Ryan Matthews in Support  
 of Marion County's Limited Motion to  
 Intervene**

JAROD BOWMAN and  
 JOSHAWN DOUGLAS- SIMPSON,

*Plaintiffs,*

v.

SARA WALKER, Interim Superintendent of the  
 Oregon State Hospital, in her official capacity,  
 SAJEL HATHI, Director of the Oregon Health  
 Authority, in her official capacity,

*Defendants.*

I, Ryan Matthews, under penalty of perjury declare that the following is true and based upon my personal knowledge:

1. I am employed with Marion County Health and Human Services as the Health Administrator and have served in this capacity at all times relevant to this litigation.
2. I have served with Marion County Health and Human Services since 2004.
3. I make this declaration from a combination of personal knowledge and my review of records and oversight of Marion County Health and Human Services.
4. This declaration is offered in support of Marion County's Limited Motion to Intervene in Response to Plaintiff Disability Rights Oregon's Motion for A Rule to Show Cause Why Defendants Should Not Be Held in Contempt, and For a Remedial Order and in support of Marion County's Response to Plaintiff Disability Rights Oregon's Motion for A Rule to Show Cause Why Defendants Should Not Be Held in Contempt, and For a Remedial Order.
5. Since this Court's September 1, 2022, order limiting the duration of inpatient restoration at the Oregon State Hospital ("Mosman Order") came into effect, Marion County's community restoration programs have experienced an unprecedented surge in cases.
6. This sudden increase in cases has stressed Marion County's community restoration program nearly to its breaking point.
7. Prior to the implementation of the Mosman Order, Marion County was already experiencing the effects of a system-wide shortage of behavioral health staff. In the time since, hiring and retaining qualified mental health providers to support outpatient treatment has not become any easier. As a result, Marion County remains severely understaffed relative to the demand for community restoration services and is unable to provide the care necessary for all individuals in need.

**Page 2 - DECLARATION OF RYAN MATTHEWS**

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8. Prior to the implementation of the Mosman Order, there was also already an extreme shortage of Secure Residential Treatment Facility (“SRTF”) beds that has not improved in the years since. This shortage severely limits Marion County’s ability to place individuals who require residential care to regain fitness to proceed into an appropriate facility. SRTF facilities are frequently so full that they will not even accept referrals for their waitlists.

9. In some cases, Marion County’s community restoration program also lacks the resources necessary to even provide individuals with appropriate medication. Because many individuals discharged from the Oregon State Hospital (“OSH”) have not yet reached a point of even relative stability, prescribers in the community are often unwilling to administer injectable medications due to liability concerns and jails are often unable to administer such medications because staff lack the appropriate training. The end result is that some individuals on community restoration simply receive no treatment to regain fitness to proceed.

10. The current status quo constitutes a significant risk to patients and public safety. Many of the individuals returned to Marion County from OSH have been charged with violent crimes and would have previously remained on secure commitment prior to the Mosman Order. While on community restoration, Marion County has no means of preventing them from leaving services.

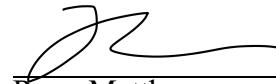
11. I believe that the current community mental health crisis in Marion County will be made even worse if the Court excludes even more patients from receiving care at the Oregon State Hospital and changing discharge standards that would result in individuals being released from the Oregon State Hospital sooner than under the current standards despite community shortages.

12. There would likely be an increase in individuals who are dangerous to themselves

or others being released into the public space with no safety guardrails. This would be bad for patients and bad for the community.

**I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.**

DATED this 8th day of January, 2025.



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Ryan Matthews  
Health Administrator  
Marion County Department of Health and  
Human Services

## CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Declaration of Ryan Matthews in Support of Marion County's Limited Motion to Intervene upon interested counsel by the following indicated method on the date set forth below:

- By electronic means through the Court's Case Management/Electronic Case File system on the date set forth below;
- By faxing a copy thereof to each attorney at each attorney's last-known facsimile number on the date set forth below;
- By mailing a full, true, and correct copy thereof in a sealed, first-class postage-prepaid envelope, addressed to the attorney's last-known office address listed above and causing it to be deposited in the U.S. mail at Salem, Oregon on the date set forth below;
- By causing a copy thereof to be hand-delivered to said attorney at each attorney's last-known office address listed above on the date set forth below;

Dated this 9th day of January, 2025

*s/ Steve Elzinga*

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